NOTICE OF TYPE III DEVELOPMENT REVIEW APPLICATION, OPTIONAL SEPA DETERMINATION OF NON-SIGNIFICANCE & PUBLIC HEARING



Form DS1325

The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the County expects to issue a **Determination of Non-Significance (DNS)** for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) – Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

Closing Date for Public Comments: April 10, 2010

Information regarding this application can be obtained by contacting the staff contact person listed below, or visit the Public Service Center, Development Services Division, 1300 Franklin Street, 3rd Floor, Vancouver, Washington.

The Clark County Hearings Examiner will conduct the public hearing on May 27, 2010 at 6:00 P.M., at Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680 (see attached map). The doors to the Public Service Center will open between 5:45 and 7 p.m. for those attending the hearing on this matter. Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.).

Project Name: POR HOCKINSON

Case Number: CUP2010-00001; PSR2010-00005; SEP2010-00012

Location: 16108 NE 192nd Avenue

Request: The applicant is requesting conditional use and site plan approval

to construct a new 150-foot cell tower, and associated ground equipment, within a 30-foot x 45-foot fenced compound on

approximately 5 acres located in an R-5 zoning district.

Applicant/Contact: Verizon Wireless LLC

c/o Ed Fournier

Land Services Northwest

P.O. Box 302

Bend, OR 97709-0302

(503) 260-0350 [phone]; (206) 350-1223 [fax]

ed@landservicesnw.com

Property Owner: Apostolic Lutheran Church

16108 NE 192nd Avenue Brush Prairie, WA 9 8606

Zoning: R-5

Comp Plan Designation: Rural

Parcel Number: 204303-000

Township: 3N Range: 3E ¼ of Section: SE ¼ of Section 18

Applicable Code Sections:

40.200 (General Provisions); 40.210.020 (Rural Districts); 40.260.250 (Wireless Communications Facilities); 40.340.010 (Parking and Loading); 40.350.020 (Transportation Concurrency); 40.350.030 (Street and Road Standards); 40.385 (Stormwater and Erosion Control); 40.500 (Procedures); 40.510.030 (Type III Process); 40.520.010 (Legal Lot Determination); 40.520.030 (Conditional Use); 40.520.040 (Site Plan Review); 40.570 (SEPA); 40.610 and 40.620 (Impact Fees); Title 15 (Fire Code); and Title 14 (Buildings and Structures).

Neighborhood Contact:

Concerned Citizens of Hockinson Neighborhood Association Jack Bremer, President PO Box 866 Brush Prairie, WA 98606-0866

Staff Contact Person:

Planner Name: Vicki Kirsher (360) 397-2375, ext. 4178;

E-mail: vicki.kirsher@clark.wa.gov

Please email SEPA comments to: vicki.kirsher@clark.wa.gov

Note: If mailing comments, an accurate mailing address for those submitting comment must be included or they will <u>not qualify</u> as a "Party of Record" and, therefore, will not have standing to appeal the decision.

If written comments or documents are to be hand delivered, please submit them to the Public Service Center, 1st floor by **12 pm the day of the public hearing**.

Responsible Official: Michael V. Butts, Development Services Manager Public Service Center, Department of Community Development, 1300 Franklin Street, P.O. Box 9810, Vancouver, WA 98666-9810

Application Filing date: February 17, 2010; Fully Complete Date: March 10, 2010;

Hold Date: March 11, 2010 to March 18, 2010

Date of this notice: March 26, 2010

SEPA Options:

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- MDNS = Mitigated Determination of Non-Significance (The impacts can be mitigated through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Timelines/Process:

Decisions on Type III applications are made within 92 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

SEPA Appeal Process:

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

A **procedural appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

- 1. The case number designated by the County and the name of the applicant;
- 2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
- 3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
- 4. A check for the appeal fee (made payable to the Department of Community Development).

The appeal request and fee shall be submitted to the Department of Community Development, Customer Service Center, at the address listed below.

The decision of the Hearing Examiner is final unless there is:

- A motion filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal is filed with Clark County Superior Court.

ACCOMMODATION OF PHYSICAL IMPAIRMENTS

The Public Service Center is wheelchair accessible. If you need auxiliary aids or services in order to attend, contact the Clark County ADA Office. **Voice** (360) 397-2000; **Relay** (800) 833-6384; **E-mail** ADA@clark.wa.gov.

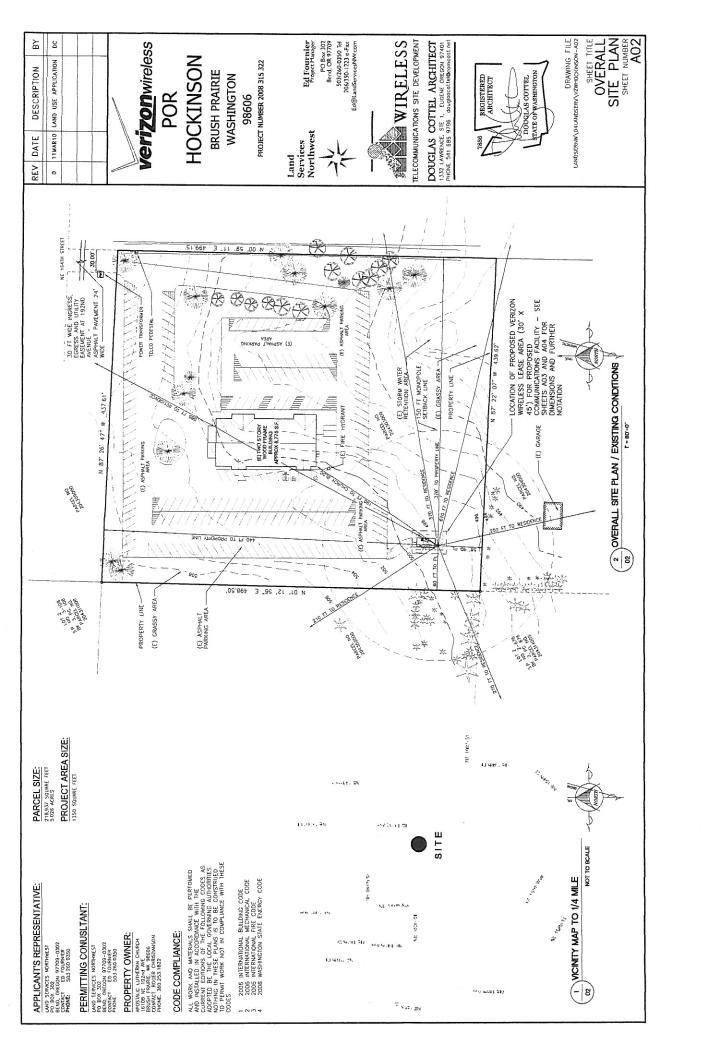
Information Available on the County Web Page:

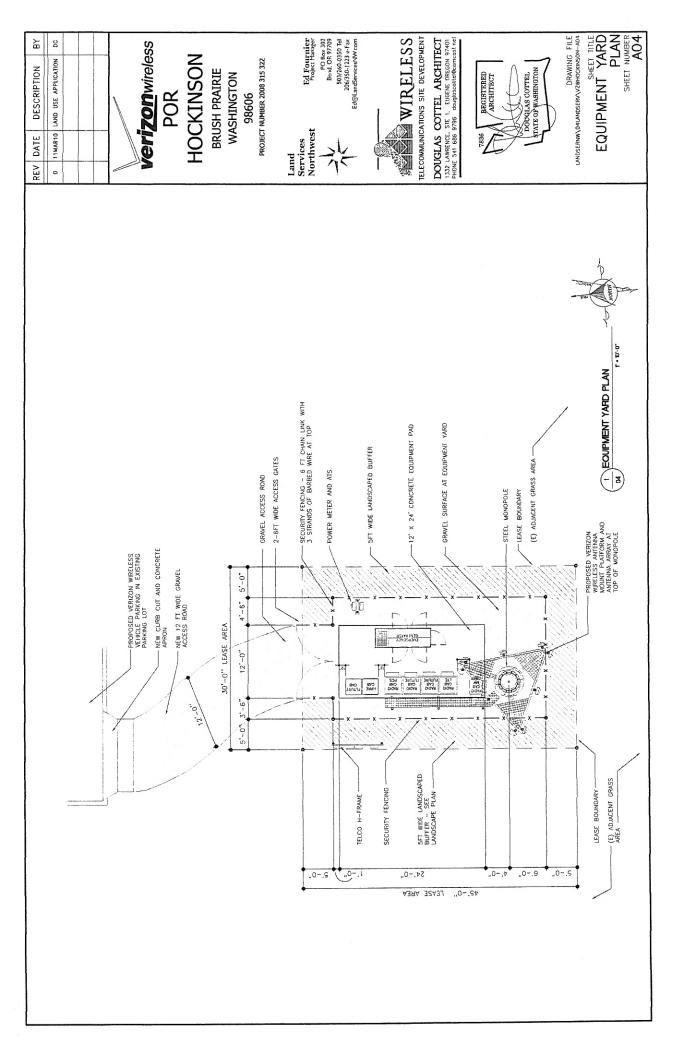
- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions): http://www.clark.wa.gov/commdev/active-landuseN.asp
- Pre-Application Conferences and Public Land Use Hearing Agendas: http://www.clark.wa.gov/commdev/agendasN.asp
- Applications and Information Handouts for each Type of Land Use Permit: http://www.clark.wa.gov/commdev/applicationsN.html

Phone: (360) 397-2375; Fax: (360) 397-2011 Web Page at: http://www.clark.wa.gov

Attachments:

- Proposed project site/land division plan
- Map of property owners receiving notice





Agency Distribution:

This notice is being provided to the following agencies with jurisdiction whose services maybe impacted by implementation of this proposal:

Federal Agencies:

U.S. Army Corps of Engineers - Enforcement Division

Tribes:

Cowlitz Indian Tribe Yakama Nation Chinook Tribe

State Agencies:

Department of Natural Resources (S.W. Region)

Department of Ecology

Department of Fish and Wildlife Department of Transportation

Regional Agencies:

Fort Vancouver Regional Library Southwest Clean Air Agency

Vancouver-Clark Parks & Recreation

Local Agencies:

Clark County Department of Community Development

Development Services
Development Engineering

Fire Marshal

Clark County Health Department

Clark County Public Works Transportation Division

Clark County Conservation District Clark County Water Resource Council City of Vancouver Transportation

Special Purpose Agencies:

Fire Protection District #3

Clark Public Utilities

Clark Regional Wastewater District/City of Vancouver Water/Sewer

The Media

The Columbian The Oregonian The Reflector

Vancouver Business Journal

The Post Record

Other:

Applicant

Clark County Neighbors

Clark County Natural Resources Council

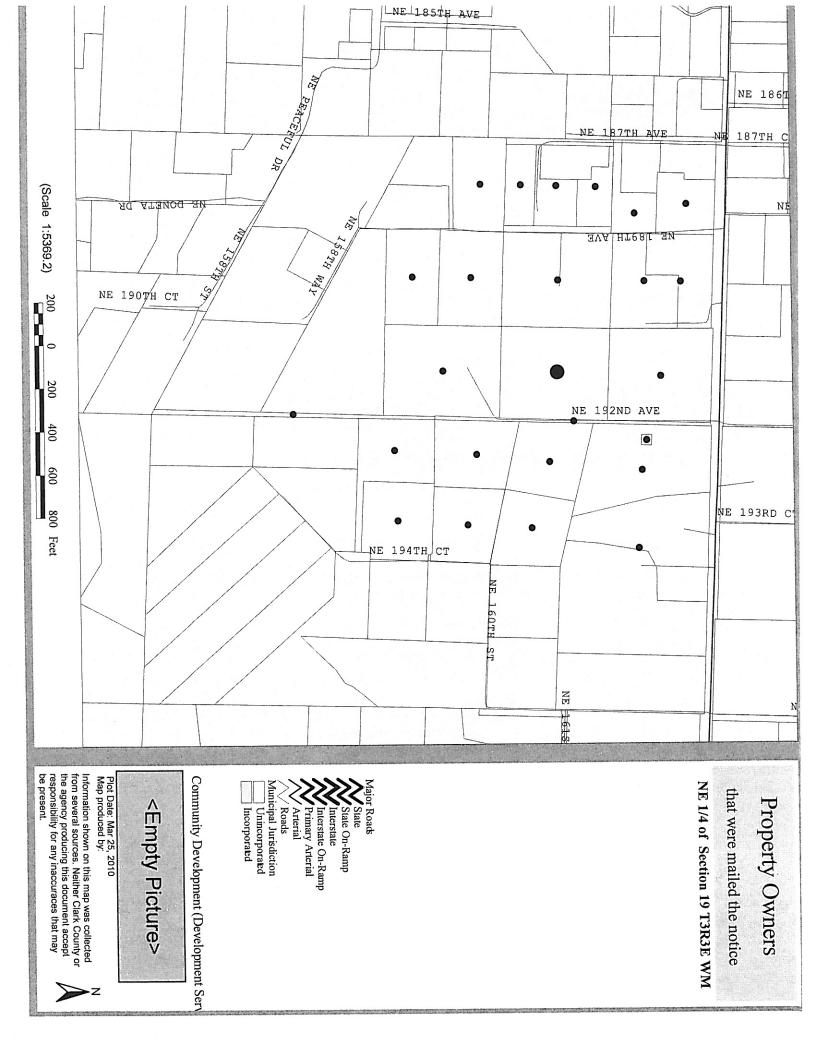
Clark County Citizens United

C-Tran

Neighborhood Association

<u>Add</u> Attachment for Agencies:

SEPA checklist



Department of Community Development, Clark County, WA SEPA Checklist

POR HOCKINSON--VERIZON

A BACKGROUND

1. Name of proposed project; if applicable.

Verizon Wireless – POR Hockinson

2. Name of applicant

Ed Fournier, Land Services Northwest as Agent for Verizon Wireless

3. Address and phone number of applicant contact person

Ed Fournier

Land Services Northwest

503-260-0350

Ed@LandServicesNW.com

4. Date Checklist prepared

February 11, 2010

5. Agency requesting checklist

Clark County, Department of Community Development

6. Proposed timing or schedule (including phasing, if applicable).

Construction will begin immediately following project approval and issuance of building permit. Construction will take approximately 4 weeks.

7. Do you have any plans for future addition, expansion or further activity related to this proposal? If yes, explain.

None at this time

8 List any environmental information that has been or will be prepared related to this proposal?

Archeological Predetermination

9. Are other applications pending for governmental approvals affecting the property covered by your proposal? If yes, please explain

Type III Conditional Use, Type II Site Plan Review, and Building Permit

10. List any government approvals or permits needed for your proposal.

Type III Conditional Use Permit and Type II Site Plan Review

Give a brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions addressed later in this checklist asking you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (lead agencies may modify this form to include additional specific information on project description).

Verizon is proposing to develop a new 150-foot tall monopole to be placed within a 30-foot by 45-foot leased area and inside a new 20-foot by 35-foot fenced compound. The antennas will be attached at a height of 150-feet elevation thereby achieving an overall tip height of 154-feet, with the lightning rod on top achieving an elevation of 158-feet. At the base of the tower Verizon will place all necessary radio cabinets and associated equipment on a concrete pad and all the coax cable will run inside the monopole from the ground equipment to the antennas above.

Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street address, section, township, and range. If this proposal occurs over a wide area, please provide range or boundaries for the site. Also, include legal description, site plan, vicinity map, and topographic map. You are not required by the agency, but required to submit duplicate maps or plans submitted with applications related to this checklist.

This site is located at 16108 NE 192nd Avenue in unincorporated Clark County, and within the general vicinity of Hockinson, WA. The parcel is identified as the SE ¼ of Section 18, T3N, R3E W.M. The serial number of the subject property is 204303-000.

B ENVIRONMETAL ELEMENTS

- 1 **EARTH**
- a General description of site

Generally Flat

b What is the steepest slope on the site and the approximate percentage of the slope?

The slope for the entire parcel is between 0 to 10%. Slope of 0 to 5 = 42%

Slope of 5 to 10 = 57%

Slope of 10 to 15 = 1%

c What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? Please specify the classification of agricultural soils and note any prime farmland.

According to the Clark County GIS analysis, the soil classification for the entire parcel is HcB. The parcel is zoned Residential (R5), and there is no prime farmland on this site.

d Are there surface indications or history of unstable soils in immediate vicinity? If so please describe.

There are no indications of such.

e De\scribe the purpose, type, and approximate quantities of any filling or grading. Also, indicate source of fill.

No filling or grading is proposed.

f Could erosion occur as result of the clearing, construction or use? If so, please describe.

No

What percentage of the site will be covered with impervious surface after the project construction (e.g. asphalt and buildings).

The site is approximately 60% covered with impervious surfaces, which is the church building, parking lot and access driveway. There will be a small increase in the percentage of impervious surfaces to 0.0016%

h Proposed measures to reduce or control erosion or other impacts to the earth include:

Except for the creation of the access driveway and the fenced equipment compound, there are no earth-disturbing activities planned for this site.

2 AIR

a What type of emissions to the air would result from this proposal (e.g., dust, automobile, odors, industrial wood smoke) during construction and after completion. Please describe and give approximate quantities.

There will be minor emissions including motor vehicle exhaust and dust associated with construction. The site design includes an emergency backup diesel fueled generator that will be tested once a week for approximately ½ hour. Once in operation there are no other emissions associated with the operation of this facility.

Are there any off site sources of emissions or odor that may affect your proposal? If so, please describe.

None known

c Proposed measures to reduce or control emissions or impact to air.

The proposed generator will comply with all emission standards

3 WATER

a Surface

1) Is there any surface water body on or in the vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe the type and provide names and into which steams or river it flows into.

No

2) Will the project require any work within 200 feet of the described waters? If yes, please describe and attach available plans.

Not Applicable

3) Estimate the amount of fill and dredge material that will be placed in or removed from surface water or wetlands and indicate the area, if the site that would be affected. Indicate the source of fill materials.

Not Applicable

4) Will the proposal require surface water withdrawals or diversions? Please provide description, purpose and approximate quantities

There will be no withdrawals or diversion of surface water as result of the project.

5) Does the proposal lie within a 100-year floodplain? If so, please note the location of on the site plan.

No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge No

b Ground

1) Will ground water be withdrawn, or will water be discharged to ground water? Please give description, purpose, and approximate quantities.

No

2) Describe waste material that will be discharged into the ground septic tanks, or other sources; (e.g., domestic sewage; industrial, containing the following chemicals;agricultural etc) Describe the size and number of the systems, houses to be served; or, the number of animals or humans the systems are expected to serve

There will be no waste materials as a result of this project.

c Water runoff (including storm water)

1) Describe the source of runoff (including storm water) and method of collection and disposal. Include quantities, if known. Describe where water will flow, and if it will flow into other water.

Storm water runoff will be retained on site.

2) Could waste materials enter ground or surface waters? If so, please describe.

No

d Proposed measures to reduce or control surface, ground, and runoff water impacts, if any;

No erosion control measures are necessary. All new impervious surfaces will be constructed at grade. All runoff will be retained on site.

4 PLANTS

a Check or circle types of vegetation found on the site

The parcel is predominately as a church building and parking lot and contains a perimeter of manicured lawn and a perimeter of 15-foot tall deciduous fruit trees.

b What kind and amount of vegetation will be removed or altered.

The located for the proposed wireless communication facility is in the southwest corner of the subject property in an area of manicured lawn. . The proposed fenced compound will measure 20' by 35', all of which will be considered impervious surface of approximately 700 square feet. The access road will also be impervious surface and will be 12-feet wide and approximately 40-feet long. The only vegetation that will be removed is a small portion of the manicured lawn

c List threatened or endangered species on or near the site.

None known

d List proposed landscaping, or use of native plants, or other measures to preserve or enhance vegetation on the site.

The proposed wireless communication facility equipment will be located within a proposed 20-foot by 35-foot fenced compound. The landscape plan includes a selection of native plants and trees that conform to the landscape requirements of Clark County

5 ANIMALS

a Circle any birds and animals which have been observed on or near the site:

There are no mapping indicators of wildland or priority habitat or species buffer areas on or adjacent to the site.

- b List any threatened or endangered species known to be on or near the site;
 None known
- c Is the site part of a migration route? If so, please explain.

Not to the knowledge of the applicant

d List proposed measures to preserve or enhance wildlife:

None proposed

6 ENERGY AND NATURAL RESOURCES

a What kinds of energy (electric, natural gas, oil, woodstove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electricity is needed to power radio transmission and receiving equipment and telephone interface.

b Would your project affect the potential use of solar energy by adjacent properties? If so, please describe.

No

c What kind of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts:

None proposed

7 ENVIRONMENTAL HEALTH

Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, please describe

There are no environmental health hazards associated with this project. All RF emissions will be within the parameters established and governed by the FCC.

- 1) Describe special emergency services that might be required. None will be required
- 2) Proposed measures to reduce or control environmental health hazards, if any.

None required.

b Noise

- 1) What types of noise exist in the area which may affect your project (e.g., traffic, equipment, operation, other)?

 Noise will not affect this project.
- 2) What types and levels of noise are associated with the project on a short-term or long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours the noise would come from the site

 There will be minor short-term noise associated with the construction phase of the project. The site design includes an emergency backup diesel fueled generator that will be tested once a week for approximately ½ hour. Once in operation there are no other emissions associated with the operation of this facility. The noise level of the proposed diesel generator will not exceed the minimum noise standards of Clark County. Otherwise there will be no new significant noise associated with the operation of this facility.
- 3) Proposed measures to reduce or control noise impacts: None are required

8 LAND AND SHORELINE USE

a What is the current use of the site and adjacent properties.

The subject parcel is currently utilized as a church and parking lot that covers about 60% of the property. The other 40% are manicured lawns with deciduous fruit trees on the southern and eastern perimeter. The surrounding parcels contain acreage residential homes.

b Has the site been used for agriculture? If so, please describe.

No, the parcel has not been used to cultivate crops in the past.

c Describe any structures on the site.

There is currently an approximately 10,000 square foot church building.

d Will any structure be demolished? If so, please describe

None. No structure will be demolished as a result of the proposal.

e What is the current zoning classification of the site?

Residential (R-5) Rural District.

f What is the current comprehensive plan designation of the site? Residential (R-5).

- **What is the current shoreline master program designation of the site?**Not applicable
- h Has any part of the site been classified as an "environmentally sensitive" area? If so, please specify

No. The subject property has an archeological determination of highly likely.

- i How many people would reside or work in the completed project?

 None
- j How many people will the completed project displace?

 None
- k Please list proposed measures to avoid or reduce displacement impacts.

 None are necessary
- l List proposed measures to ensure the proposal is compatible with existing and projected land uses and plans.

Compliance with the Clark County Zoning Code provides for the development of new wireless facilities. The proposed Verizon facility will comply with the code in all aspects.

9 <u>HOUSING</u>

a Approximately how many units would be provided? Indicate whether it's a high, middle, or low-income housing.

Verizon is not proposing a housing project. No units would be provided as a result of the proposed project.

b Approximately how many units, if any, would be eliminated? Indicate whether it's high, middle, or low-income housing.

Verizon is not proposing a housing project. No units would be eliminated as a result of the proposed project

c List proposed measures to reduce or control housing impacts.

None are necessary.

- 10 Aesthetics
- a What is the tallest height of any proposed structure(s), not including antennas? What is proposed as the principal exterior building materials?

The height of the proposed lattice tower will be 150-feet, the tip of the antennas will be a the 154-foot elevation, and the top of the lighting rod will be at the 158-foot elevation. All radio equipment will be in outdoor

metal cabinets that will be placed upon a new 12-foot by 25-foot concrete slab that will be inside a 20-foot by 25-foot fenced compound. A five-foot landscape strip will surround the outside of the fenced compound and be inside the 30-foot by 45-foot lease area.

b What views in the immediate vicinity would be altered or obstructed

This proposal would not alter or obstruct views in the area.

c Proposed measures to reduce or control aesthetics impacts

The retention of the existing tree canopy and the proposed landscape area will serve to screen the base of the tower and the proposed ground equipment.

11 LIGHT AND GLARE

a What type of light or glare will the proposal produce? What time of day would it mainly occur?

This proposal will not produce any light or glare. At this time, the FAA or WDOT is not requiring any additional lighting for the tower.

b Could light or glare from the finished project be a safety hazard or interfere with views.

No

- c What existing off-site sources of light or glare may affect your proposal?

 No off-site light or glare will affect the project.
- d Proposed measures to reduce or control light and glare impacts.

 None are necessary

12 <u>RECREATION</u>

a What designated and informal recreational opportunities are in the immediate vicinity?

None to the applicant's knowledge

b Would the project displace any existing recreational uses? If so, please describe.

No

c Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant.

None are necessary

13 HISTORIC AND CULTURAL PRESERVATION

Are there any places or objects on or near the site which are listed or proposed for national, state, or local preservation registers. If so, please describe.

None are known to the applicant

b Please describe any landmarks or evidence of historic, archeological, scientific or cultural importance known to be on near the site

None are known to the applicant

c Proposed measures to reduce or control impacts.

None are necessary

14 TRANSPORTATION

a Identify the public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any;

Off of NE 164th Street there is currently a private driveway, NE 192nd Avenue, that is a 20-foot wide paved road constructed by the property owner to serve the church members. This proposal will utilize this same access.

Is the site currently served by public transit? If not, what is the appropriate distance to the nearest transit stop?

There does not appear to be a public transit serving this area. This is a rural area not served by public transit.

c How many parking spaces would the completed project have? How many would the project eliminate?

No parking spaces are proposed or will be eliminated as part of this proposal.

d Will the proposal require new roads or streets, or improvements to existing roads or streets, not including driveways? If so, please describe and indicate whether it's public or private.

No new roads or streets are required for this proposal.

- e Will the project use water, rail, or air transportation? If so, please describe No
- f How many vehicular trips per day would be generated by the completed project? Indicate when peak traffic volumes would occur.

There will be approximately one trip in and out of the site per month by a technician performing routine maintenance and service of the equipment

g Proposed measures to reduce or control transportation impacts

None are necessary

15 **PPUBLIC SERVICES**

a Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, please describe.

No

b Proposed measures to reduce or control direct impacts on public services;

None are required

16 <u>UTILITIES</u>

a Circle the utilities currently available at the site.

Electric and telephone services are currently available to the subject parcel.

b Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on or near the site:

Telephone services will be provided by Qwest and electric services by Clark County PUD; no other utilities are necessary. Both electricity and telephone will be extended underground to the proposed site.

C SIGNATURE

The above answers are true and complete to the best of my knowledge. I	
understand that the legal lead agency is relying on them to make decision	ı.

Signature: Ellan Date submitted: 1/6 20/0